

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

RODRIGO CARRASCO,

Plaintiff,

v.

CIV 10-0838 MV/KBM

COMMERCIAL ALLIANCE INSURANCE COMPANY

Defendant.

**COMMERCIAL ALLIANCE INSURANCE COMPANY’S  
MOTION FOR SUMMARY JUDGMENT**

In accordance with the Federal Rules of Civil Procedure, Rule 56, Defendant Commercial Alliance Insurance Company’s (“CAIC”) respectfully requests this Court to grant its Motion for Summary Judgment. As discussed more fully in its Memorandum Brief submitted contemporaneously herewith, Plaintiff’s claims must fail as a matter of law as there is no basis in law or fact to impute any liability against this Defendant.

Concurrence of the Plaintiff was sought and Defendant has not heard from the Plaintiff in time to note his concurrence or opposition to this Motion.

Respectfully Submitted,

SIMONE, ROBERTS & WEISS, P.A.

/s/

MEENA H. ALLEN

Counsel for Commercial Alliance Insurance  
11200 Lomas Boulevard, NE, Suite 210  
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(505) 298-9400

**CERTIFICATE OF SERVICE**

I hereby certify that on this 30<sup>th</sup> day of December 2011, a true and correct copy of the foregoing was mailed via USPS to:

Rodrigo Carrasco  
4180 Chapparron Place  
Santa Fe, NM 87507

/s/  
Meena H. Allen